

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA ) Case No. 1:11-CR-98  
v. )  
 )  
KELLIE FORGEY ) COLLIER/CARTER

## REPORT AND RECOMMENDATION

A Notice of Waiver of Competency Hearing signed by defendant and Atty. Anthony Martinez was filed on February 29, 2012. The Court therefore RECOMMENDS<sup>1</sup> on the basis of the waiver and the recommendation of competency contained in the Forensic Evaluation that defendant Kellie Forgey be found competent to stand trial.

S /William B. Mitchell Carter  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup>Any objections to this Report and Recommendation must be served and filed within fourteen (14) days after service of a copy of this recommended disposition on the objecting party. Such objections must conform to the requirements of Rule 59(b)(2) of the Federal Rules of Criminal Procedure. Failure to file objections within the time specified waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 88 L.Ed.2d 435, 106 S.Ct. 466 (1985). The district court need not provide *de novo* review where objections to this report and recommendation are frivolous, conclusive or general. *Mira v. Marshall*, 806 F.2d 636 (6th Cir. 1986). Only specific objections are reserved for appellate review. *Smith v. Detroit Federation of Teachers*, 829 F.2d 1370 (6th Cir. 1987).